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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

PACIFIC RIVERS, CASCADIA WILDLANDS,
COAST RANGE ASSOCIATION, KLAMATH-
SISKIYOU WILDLANDS CENTER, OREGON
WILD, THE WILDERNESS SOCIETY, PACIFIC
COAST FEDERATION OF FISHERMEN'S
ASSOCIATIONS, INSTITUTE FOR FISHERIES
RESOURCES, and UMPQUA WATERSHEDS,

Plaintiffs,

v.

U.S. BUREAU OF LAND MANAGEMENT;
NATIONAL MARINE FISHERIES SERVICE;
U.S. FISH AND WILDLIFE SERVICE; U.S.
DEPARTMENT OF INTERIOR;

No. 6:16-cv-01598-JR

MOTION FOR SUMMARY
JUDGMENT AND
DECLARATORY RELIEF

ORAL ARGUMENT
REQUESTED

U.S. DEPARTMENT OF COMMERCE,

Defendants,

and

ZUBER & SONS LOGGING, LLC;
TURNER LOGGING, INC.; ROSEBURG AREA
CHAMBER OF COMMERCE,

Defendant-Intervenors.

Plaintiffs Pacific Rivers, Cascadia Wildlands, Coast Range Association, Klamath-Siskiyou Wildlands Center, Oregon Wild, The Wilderness Society, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, and Umpqua Watersheds respectfully move the Court pursuant to Fed. R. Civ. P. Rule 56(a) for summary judgment on all claims against the Federal Defendants U.S. Bureau of Land Management ("BLM"), U.S. Fish and Wildlife Service ("FWS"), and the National Marine Fisheries Service ("NMFS"), as set forth in Plaintiffs' First Amended Complaint filed February 17, 2017.

This motion is based on the accompanying memorandum, declarations, exhibits, and other papers submitted herewith, and such other evidence as the Court deems appropriate. Plaintiffs seek a declaration that the Records of Decision for the Northwest and Coastal Resource Management Plan and the Southwestern Oregon Resource Management Plan ("Revised RMPs") violate the Oregon and California Lands Act, the National Environmental Policy Act, and the Administrative Procedure Act, and that NMFS and FWS violated the Endangered Species Act and Administrative Procedure Act by failing to use the best available science when issuing biological opinions concluding that implementation of the Revised RMPs would not cause jeopardy to any ESA-listed species or cause destruction or adverse modification of any

designated critical habitat for such a species.

To remedy these violations of law, Pacific Rivers, *et al.*, asks the Court to vacate the Record of Decisions for the Revised RMPs, the NMFS 2016 biological opinion, and the FWS 2016 biological opinion, returning management of these federal public lands to the Northwest Forest Plan.

Respectfully submitted this 17th day of November, 2017.

/s/Kristen L. Boyles

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Wilderness Society, PCFFA, Institute for Fisheries
Resources, and Umpqua Watersheds*